

MONDAY, JANUARY 16, 1978

FORTY-SIXTH LEGISLATIVE DAY

The House met at 6:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Franklin Dwight DeBerry, New Salem Baptist Church, Memphis, Tennessee.

Representative DeBerry led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 92

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 92.

The Speaker announced that Representative Pickering was excused because of the weather.

The Speaker announced that Representative Williams was excused because of the weather.

The Speaker announced that Representative Love was excused because of the weather.

CORRECTION TO JOURNAL

On January 10, 1978 (page 1956), the Report of the Committee on Judiciary included House Bill No. 995 as recommended for passage and referred to the Committee on Calendar and Rules. This was in error as House Bill No. 995 was not reported out of committee.

CALENDAR

Mr. Bragg moved that Senate Bill No. 1347 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Ms. DeBerry moved that House Bill No. 618 be placed on the Calendar for Monday, January 30, 1978, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 137 — Relative to recess, Ninetieth General Assembly.

Under the rules, Senate Joint Resolution No. 137 was referred to the Committee on Calendar and Rules.

MOTIONS

On motion of Mr. Ozment, House Bill No. 321 was recalled from the Committee on Commerce.

On motion of Mr. Ozment, House Bill No. 321 was withdrawn from the House.

On motion of Mr. Ozment, House Bill No. 639 was recalled from the Committee on State and Local Government.

On motion of Mr. Ozment, House Bill No. 639 was withdrawn from the House.

On motion of Mr. Robertson, House Bill No. 927 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Robertson, House Bill No. 927 was withdrawn from the House.

On motion of Mr. Ford (Cocke), House Bill No. 825 was recalled from the Committee on State and Local Government.

On motion of Mr. Ford (Cocke), House Bill No. 825 was withdrawn from the House.

On motion of Mr. DePriest, House Bill No. 1353 was recalled from the Committee on Agriculture.

On motion of Mr. DePriest, House Bill No. 1353 was withdrawn from the House.

On motion of Mr. Bussart, House Bill No. 974 was recalled from the Committee on Judiciary.

On motion of Mr. Bussart, House Bill No. 974 was withdrawn from the House.

Mr. Richardson moved that the rules be suspended for the purpose of introducing House Resolution No. 84 out of order, which motion prevailed.

House Resolution No. 84 — Relative to support for the farmers' demand for parity — By Richardson, DePriest, Hillis, Burks, Murray (Franklin), Work, Stallings, Gill, Ashford, Fleming, Young, Rhinehart, Blackburn, Phillips, Buck, Lanier, Naifeh, Burnett (Fentress), Bell, Robinson (Davidson), Ellis, Bussart, Burnett (Sumner), Robinson (Washington), Cawood, Bishop and Stafford.

Mr. Richardson moved that the rules be suspended for the immediate consideration of House Resolution No. 84, which motion prevailed.

On motion of Mr. Richardson, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.

140 — Relative to memory, Hubert H. Humphrey; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Jensen moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 140, which motion prevailed.

Senate Joint Resolution No. 140 — Relative to memory, Hubert H. Humphrey.

On motion of Mr. Jensen, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Bussart moved that the rules be suspended for the purpose of introducing House Resolution No. 85 out of order, which motion prevailed.

Mr. Bussart moved that the rules be suspended for the purpose of considering House Resolution No. 85 out of order, which motion prevailed.

House Resolution No. 85 — Relative to memorializing Senator Hubert H. Humphrey —
By Bussart, Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter.

On motion of Mr. Bussart, the resolution was adopted.

A motion to reconsider was tabled.

ANNOUNCEMENTS

Mr. McKinney announced that all members invited to a dinner at the Metro Court House will they please call Ann Chapman at 259-6047 for R.S.V.P.

Mr. Lashlee announced that the Education Committee will meet at 8:00 a.m. tomorrow.

Mr. Bishop announced that the State and Local Government Committee will meet at 9:30 a.m. tomorrow.

Mr. Watson announced that the Conservation and Environment Committee will meet at 11:00 a.m. tomorrow.

Mr. Burks announced that the Agriculture Committee will meet at 12:30 p.m. tomorrow in order for the subcommittees to report.

Mr. Robinson (Davidson) announced that the Transportation Committee will meet at 10:00 a.m. tomorrow.

Mr. Lashlee announced that the Special Education and Handicapped Committee will meet at 9:00 a.m. tomorrow in Room 29.

Mr. Speaker McWherter announced that the Chairman of all Committees and the leadership will meet in his office at 1:00 p.m. tomorrow.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 94

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 94.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 272 — Relative to President to convene a House National Coal Conference — By Watson.

Under the rules, House Joint Resolution No. 272 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 273 — Relative to naming bridge in Sullivan County, "Thomas Bridge" — By Blackburn, Hood, Yelton, Robinson (Washington) and Hurley.

The Speaker referred House Joint Resolution No. 273 to the Committee on Transportation.

House Joint Resolution No. 274 — Relative to joint committee to study annexation laws — By Henry, Hall, Scruggs, Richards, Robertson, Robinson (Washington), Jensen, Smith, Wood, McAfee and Stafford.

The Speaker referred House Joint Resolution No. 274 to the Committee on State and Local Government.

House Joint Resolution No. 275 — Relative to honoring Coach Ralph Hatley — By Martin, Sterling, Small, Williams, Moore, Gaia, DeBerry, Gill, Byrd, Brewer, Spence, King, Ford (Shelby), Naifeh, Lanier and Kernell.

Under the rules, House Joint Resolution No. 275 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 276 — Relative to commending Harland Burnett — By Carter.

Under the rules, House Joint Resolution No. 276 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1569 — To determine time obligation, general sessions judges, certain counties — By Burnett (Fentress).

Passed first reading.

House Bill No. 1570 — To make provisions, Retailer's Sales Tax Act — By Burnett (Fentress) and Naifeh.

Passed first reading.

House Bill No. 1571 — To make provisions, tax enforcement procedures — By Burnett (Fentress).

Passed first reading.

House Bill No. 1572 — To change date for making payment on certain income taxes — By Burnett (Fentress).

Passed first reading.

House Bill No. 1573 — To make provisions, regarding certain tax liens — By Burnett (Fentress).

Passed first reading.

House Bill No. 1574 — To impose privilege tax on soft drink bottlers — By Burnett (Fentress).

Passed first reading.

House Bill No. 1575 — To provide for registration and assessment of penalty, certain vehicle operators — By Burnett (Fentress).

Passed first reading.

House Bill No. 1576 — To subject any insurance company to jurisdiction of state — By Burnett (Fentress).

Passed first reading.

House Bill No. 1577 — To regulate certain investment criteria — By Burnett (Fentress).

Passed first reading.

House Bill No. 1578 — To regulate filing of certain insurance premium rates — By Burnett (Fentress).

Passed first reading.

House Bill No. 1579 — To make certain provisions, regulation of captive insurance companies — By Burnett (Fentress).

Passed first reading.

House Bill No. 1580 — To make certain provisions, Tombigbee - Tennessee Waterway compact — By Burnett (Fentress).

Passed first reading.

House Bill No. 1581 — To amend Section 56-410, Code, fees and taxes — By Bragg.

Passed first reading.

House Bill No. 1582 — To amend Section 49-1765 and 49-1767, immunization — By Bragg.

Passed first reading.

House Bill No. 1583 — To make provisions, group insurance — By Love, Burnett (Fentress), Ford (Shelby), Brewer, Murphy (Davidson), Naifeh, Spence and Work.

Passed first reading.

House Bill No. 1584 — To provide Commissioner of Labor with certain authorities — By Ellis, Burnett (Fentress), DeBerry and Love.

Passed first reading.

House Bill No. 1585 — To clarify provisions, reporting of work related injuries — By Ellis, Naifeh, DeBerry, Davidson (Robertson) and Love.

Passed first reading.

House Bill No. 1586 — To remove limitation, system of communication, crime statistics — By Ellis and Burnett (Fentress).

Passed first reading.

House Bill No. 1587 — To make certain provisions, purchasing agent, Sullivan County — By Blackburn, Hood, Yelton, Robinson (Washington) and Hurley.

Passed first reading.

House Bill No. 1588 — To define rights of arrested person — By Robinson (Hamilton).

Passed first reading.

House Bill No. 1589 — To make provisions, expungement of criminal records — By Robinson (Hamilton).

Passed first reading.

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House Bill No. 1590 — To provide allowance for mine related employees — By Robinson (Hamilton), Naifeh and DeBerry.

Passed first reading.

House Bill No. 1591 — To change names of mental health institutions — By Robinson (Hamilton) and Naifeh.

Passed first reading.

House Bill No. 1592 — To make provisions, authorizing court to grant restraining order — By Spence.

Passed first reading.

House Bill No. 1593 — To determine age of consent for adoption — By Spence.

Passed first reading.

House Bill No. 1594 — To authorize road and bridge, Hatchie River — By Naifeh, Bishop and Lanier.

Passed first reading.

House Bill No. 1595 — To make provisions, officers under Tennessee County Uniform Road Law — By Naifeh.

Passed first reading.

House Bill No. 1596 — To amend Section 56-107, Code — By Naifeh and Murray (Franklin).

Passed first reading.

House Bill No. 1597 — To extend time to recover erroneous tax payments — By Naifeh and Burnett (Fentress).

Passed first reading.

House Bill No. 1598 — To make misdemeanor, failure to stop for law enforcement vehicle — By Naifeh.

Passed first reading.

House Bill No. 1599 — To amend Section 12-212, Code — By Richardson, Burnett (Fentress), Robinson (Davidson), Love, Lanier, Young, Good, Robinson (Washington) and Buck.

Passed first reading.

House Bill No. 1600 — To amend Section 50-1005, Code — By Naifeh.

Passed first reading.

House Bill No. 1601 — To make certain provisions, Workmen's Compensation Law — By Bissell and Burnett (Fentress).

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Passed first reading.

House Bill No. 1602 — To prohibit distribution or sale of disposable bottles — By Dixon.

Passed first reading.

House Bill No. 1603 — To require, Lear jet be sold — By Henry, Richards, Hall, Scruggs, Wood, Smith, Ford (Cocke), Robertson, Good, McAfee, Small and Stafford.

Passed first reading.

House Bill No. 1604 — To amend Section 6-317, Code — By Henry and Stafford.

Passed first reading.

House Bill No. 1605 — To make certain provisions, vehicle registration plates — By Henry, Scruggs, Hall, Richards, King and Stafford.

Passed first reading.

House Bill No. 1606 — To grant municipalities certain priority in annexation — By Henry and Stafford.

Passed first reading.

House Bill No. 1607 — To provide tax relief certain homeowners — By Byrd, Gill, DeBerry, Brewer, King, Gaia, Ford (Shelby), Withers, Spence, Kernell and Turner.

Passed first reading.

House Bill No. 1608 — To make provisions relative to certain rented premises — By Nolan.

Passed first reading.

House Bill No. 1609 — To make provisions, abandonment of rental premises — By Nolan.

Passed first reading.

House Bill No. 1610 — To make provisions, blind vending stand operation — By King, Gill, Burnett (Fentress), Ellis, DeBerry, DePriest, Richardson, Love and Murphy (Davidson).

Passed first reading.

House Bill No. 1611 — To prohibit copying of driver licenses — By King, Naifeh, Richardson, Ford (Shelby) and De Berry.

Passed first reading.

House Bill No. 1612 — To make changes relative to examination of state banks — By King, Burnett (Fentress), Naifeh, Richardson, Ford (Shelby), DeBerry and Love.

Passed first reading.

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House Bill No. 1613 — To make certain exemptions, sales tax — By Robertson, Hall, Smith, Richards, Ford (Cocke), Hurley, Scruggs, Good, Robinson (Washington) and Carter.

Passed first reading.

House Bill No. 1614 — To make certain provisions, catalogs listing general contracts — By Murray (Madison) and Burnett (Fentress).

Passed first reading.

House Bill No. 1615 — To make certain provisions, forwarding of contracts — By Murray (Madison) and Naifeh.

Passed first reading.

House Bill No. 1616 — To establish authority, Commissioner, Department of Safety — By Murray (Madison) and Burnett (Fentress).

Passed first reading.

HOUSE BILLS ON SECOND READING

House Bill No. 1549 — To increase electrical inspection fees.

Passed second reading and referred to Committee on Labor and Consumer Affairs.

House Bill No. 1550 — To make certain provisions, sales tax on water.

Passed second reading and referred to Committee on Finance, Ways and Means.

House Bill No. 1551 — To make certain provisions financial disclosure, fiduciary institutions.

Passed second reading and referred to Committee on Commerce.

House Bill No. 1552 — To make provisions, special plates for certain businesses.

Passed second reading and referred to Committee on Commerce.

House Bill No. 1553 — To increase salary, Maury County Attorney.

Passed second reading and held without reference.

House Bill No. 1554 — To make certain provisions, elector qualifications, Huntingdon, Tennessee.

Passed second reading and held without reference.

House Bill No. 1555 — To amend Section 49-3904, Code.

Passed second reading and referred to Committee on Education.

House Bill No. 1556 — To require annexation referendum, certain circumstances.

Passed second reading and referred to Committee on State and Local Government.

House Bill No. 1557 — To make certain provisions, annexation.

Passed second reading and referred to Committee on State and Local Government.

House Bill No. 1558 — To require elections and reapportionment, certain circumstances.

Passed second reading and referred to Committee on State and Local Government.

House Bill No. 1559 — To make certain provisions, medical assistance benefits.

Passed second reading and referred to Committee on General Welfare.

House Bill No. 1560 — To enact standards for life insurance reserves.

Passed second reading and referred to Committee on Commerce.

House Bill No. 1561 — To establish standards for life insurance reserves.

Passed second reading and referred to Committee on Commerce.

House Bill No. 1562 — To make provisions, nonforfeiture values of life insurance policies.

Passed second reading and referred to Committee on Commerce.

House Bill No. 1563 — To make provisions, foster care review.

Passed second reading and referred to Committee on General Welfare.

House Bill No. 1565 — To provide for supervision of insurance companies.

Passed second reading and referred to Committee on Commerce.

House Bill No. 1566 — To make certain provisions, permission to file cash surety bonds.

Passed second reading and referred to Committee on Education.

House Bill No. 1567 — To define county trustee duties, certain purchases.

Passed second reading and referred to Committee on Education.

House Bill No. 1568 — To define elementary and middle schools.

Passed second reading and referred to Committee on Education.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

54 — Relative to amending Tennessee Constitution, taxation of tangible personal property.

The resolution having passed three readings in the Senate by a roll call vote in accordance with Article XI, Section 3, Constitution of the State of Tennessee.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Carter moved that the Report of the Special Committee to Study Pin Ball Machines as authorized by House Resolution No. 18, be received and spread upon the Journal, which motion prevailed.

REPORT

of

The Special Pinball Study Committee

of

The House of Representatives

The Special Pinball Study Committee of the House of Representatives was directed to make a thorough study of pinball machine activities pursuant to

HOUSE RESOLUTION NO. 18

By Murphy (Shelby), Moore

A RESOLUTION to create a Special Committee of the House of Representatives to study the use of pinball machines in Tennessee and of practices surrounding their use.

WHEREAS, for several years the Tennessee General Assembly has wrestled with problems surrounding the use of pinball machines within the state; and

WHEREAS, during those years considerable publicity in the press and broadcast media has been given to the issue of pinball machine operations, including suggestions of illegality and of contributing to unbeneficial and unhealthy social conditions and economic conditions; and

WHEREAS, it is the intent of the General Assembly to act with the utmost degree of knowledge available to it, and to determine in its own wisdom what is reasonable and fair for the people of our state; and

WHEREAS, a number of bills have been introduced in the Ninetieth General Assembly relating to pinball machines and those bills have been debated in the Commerce Committee and the Judiciary Committee of the House of Representatives without any positive action; and

WHEREAS, it is the desire of the Ninetieth General Assembly to direct its efforts to the correction of problems in the pinball machine industry, if problems exist; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That a Special Committee to consist of no more than seven members be appointed by the chairman of the House Judiciary Committee to make a thorough study of pinball machine activities in Tennessee and to report its findings, conclusions and recommendations, together with proposed legislation, if appropriate, to the 1978 session of the Ninetieth General Assembly no later than January 15, 1978.

BE IT FURTHER RESOLVED, That the committee be governed by the provisions of Chapter 3 of Title 3 of Tennessee Code Annotated, and shall have and may exercise the powers granted therein.

BE IT FURTHER RESOLVED, That the members of the committee shall receive for attendance at each meeting the expense and mileage allowances provided in Section 3-114, Tennessee Code Annotated.

ADOPTED: April 13, 1977

Ned R. McWherter,
SPEAKER OF THE HOUSE OF REPRESENTATIVES

The Resolution directed that the Special Committee consist of no more than seven members and that such members be appointed by the Chairman of the House Judiciary Committee.

Members of The Special Pinball Study Committee were:

Representative Bill Carter, Chairman

Representative John Steinhauer, Vice-Chairman

Representative James O. Lanier

Representative Emmitt Ford

Representative Bill McAfee

Representative Paul Scruggs

Representative Jim Richards

In order to thoroughly study pinball machine activities in Tennessee, the Committee conducted public hearings across the State to gauge the opinion of the general public and to better understand the pinball situation as it relates to the various parts of the State. These hearings and additional meetings were held as follows:

June 23 and June 24, 1977	Room 1206 State Office Building Memphis, Tennessee
August 11 and August 12, 1977	County Council Meeting Room, Hamilton County Courthouse Chattanooga, Tennessee
September 8 and September 9, 1977	Municipal Building Johnson City, Tennessee
October 11 and October 12, 1977	Hearing Room 29, Legislative Plaza Nashville, Tennessee
November 3 and November 4, 1977	Area Vocational School Knoxville, Tennessee
December 1 and December 2, 1977 (Committee Work Session)	Room 215, War Memorial Building, Nashville, Tennessee
December 15, 1977 (To hear additional testimony)	Room 215, War Memorial Building, Nashville, Tennessee and Room 29, Legislative Plaza Nashville, Tennessee

The Committee felt that, in order to accomplish the task directed by the resolution, a wide cross-section of the public should be heard. Therefore, prior to each meeting, the following peo-

ple were either specifically invited by letter to appear or were sent a notice of hearings (a copy of which is attached and incorporated as part of this report):

1. The Mayor of the city in which the hearing was held.
2. Law Enforcement officials in the city and in all counties surrounding the city in which the hearings were held and elsewhere (i.e. Chief of Police, Sheriff, Police Directors, Vice Squad Commanders, District Attorney Generals, Fire Marshals, Fire Chiefs, Tax Officials from the Department of Revenue (Nashville Meeting), Youth Guidance Officials, Judges (General Sessions, Juvenile), Tennessee Bureau of Criminal Identification, Federal Bureau of Investigation.
3. Educators and other persons interested in the welfare of children in the city of and area surrounding the city of the hearing (i.e. School Principals, Parent Teachers Associations, Parents Boosters Clubs, Directors of City Boards of Education and County Boards of Education.
4. Religious Groups and Organizations.
5. Legislators (Senators and Representatives of all districts in the city of and surrounding the city of hearing) and City Councilmen of the cities in which the hearings were held.
6. Pinball Machine Operators and Owners in the area of the city of the hearing, as taken from the Telephone Directory Yellow Pages.
7. Other interested County and City Officials in the area of the hearing.

The complete list of those invited to attend is a part of the official minutes.

In addition, during the course of the five hearings, over 300 members of the various news media were invited to attend.

These invitations were extended to representatives of all daily newspapers, all weekly newspapers, other printed news media, Associated Press, United Press International, all television and radio stations in the city of and area surrounding the city in which the hearings were held. Through notices in the news media, all interested parents and other citizens were also invited to attend.

NOTICE OF PUBLIC HEARINGS

Pursuant to House Resolution 18, a copy of which is enclosed, a Special Committee of the House of Representatives will conduct public hearings on all phases of pinball operations in the State of Tennessee.

The purpose of these hearings is to determine what legislation, if any, is necessary to correct alleged law violations and detriments to the welfare of the citizens of our State brought on by pinball operations.

The second in a series of statewide hearings will be held in Chattanooga, beginning at 2:00 P.M., on Thursday, August 11, in the County Council Meeting Room. The hearing will continue beginning at 9:30 A.M. on Friday, August 12.

Though we do not intend to subpoena witnesses, we expect cooperation from all segments in order that the Committee can fully understand the situation and can separate facts from misconceptions. If you feel your testimony would aid the Committee, we would certainly appreciate your participation. Each person presenting testimony is asked, if possible, to submit a sufficient number of written copies of his statement for each member of the Committee.

If you wish to appear to give testimony, please contact me at my Chattanooga office, (615) 622-7814, or Mrs. Linda Wyatt, Room 108, War Memorial Building, Nashville, Tennessee 37219, (615) 741-3735.

REP. BILL CARTER, Chairman

House Resolution 18 gave the Committee all of the powers granted by Tennessee Code Annotated, Title 3, Chapter 3, which includes the power to subpoena the testimony of witnesses and the production of documents. However, the Committee adopted the policy that the subpoena power would not be exercised so long as those persons testifying gave their full cooperation in assisting the Committee in its effort to fully understand the pinball situation and to separate facts from misconceptions and opinions.

Although those persons testifying gave their full cooperation almost without exception, the Committee felt that physical evidence in the form of records was necessary for them to complete their study. For that purpose, the Committee voted unanimously to issue four subpoenas for the testimony of certain persons and the production of certain documents. A meeting of the Committee was held in Nashville, December 15, 1977, for the purpose of hearing this additional testimony and viewing the relevant documents.

The testimony at the hearings was preserved by means of a tape recorder. Later, minutes of these hearings were transcribed from the original tapes.

Copies of this report are on file with the House Judiciary Committee and committee records and documents have been placed on file with the State Library and Archives.

CONCLUSIONS AND RECOMMENDATIONS

As a result of its study, the Special Pinball Study Committee is convinced that, though there were instances of pinball operators with past gambling convictions, there is absolutely no evidence of organized crime or criminal activity in the operation of pinballs in Tennessee presently nor has there been for the past few years.

It was, however, the opinion of the Committee that rigid controls, including a licensing procedure, be placed on all operators, distributors, and location owners, not only those domiciled in Tennessee but, also, those doing business in Tennessee and domiciled elsewhere.

The Committee recommends that the Office of the State Attorney General be vested with the authority and the duty to carry out the regulation of this industry pursuant to legislation which the General Assembly might adopt. Further, the Committee recommends that these regulations shall include a prohibition against persons convicted of crimes of moral turpitude within the last ten (10) years being permitted to operate, own, or otherwise engage in the pinball industry in this State.

Though there was no evidence of criminal pinball activities in Tennessee, the Committee is convinced that the potential of such is considerably high and that the Legislature needs to make expeditious steps to eliminate the possibility of undesirable elements being lured to our State because of this lucrative business.

The Committee recommends that minors who play the bingo or in-line pinball machines be guilty of a "delinquent act," and that the location owner who allows a minor to play such a machine have his license revoked and his machine confiscated for a period of time.

It is further the opinion of this Committee that certain segments of the pinball industry are engaged in a form of legalized gambling and, therefore, serious consideration should be given by the 90th General Assembly to the establishment of a Gambling Control Board under the Office of the State Attorney General.

The Committee will take the responsibility to draft and introduce legislation to implement these recommendations.

REP. BILL CARTER, Chairman

REP. EMMITT FORD

REP. JOHN STEINHAUER, Vice-Chm.

REP. JAMES O. LANIER

REP. BILL McAFEE

REP. JAMES T. RICHARDS

REP. PAUL C. SCRUGGS

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

333 — To provide reduced camping rates for senior citizens, state parks; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 132, 133 and 134; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Burnett (Fentress), the House adjourned until 5:00 p.m. tomorrow.